



STATE OF WASHINGTON
APPLICATION FOR CHANGE/TRANSFER
OF WATER RIGHT

For filing with Ecology or with County Conservancy Boards

A MINIMUM FEE OF \$10.00 PAYABLE TO ECOLOGY MUST ACCOMPANY THIS APPLICATION

Elements 1 and 2 immediately following:
(Check all that apply.) See Part 6.A., *infra*.

Element 1.

- ☒ Change purpose(s) of use - applicable only to portion of right related to stockwater
☐ Add purpose(s) of use
☒ Change point(s) of diversion/withdrawal
☐ Add point(s) of diversion/withdrawal
☒ Change/transfer place of use

Element 2.

- ☒ Other (i.e. consolidation, intertie, trust water)

Explain: Change to trust water right for fishing, wildlife, and other instream flow beneficial uses

FOR OFFICE USE ONLY	
CHANGE No. <u>CS4-00756 CTCL</u>	WRIA <u>37</u>
DATE ACCEPTED <u>06/10/05</u>	BY <u>[Signature]</u>
FEE \$ <u>10.00</u>	REC'D <u>5/26/05</u>
CHECK No. <u>2229</u>	
SEPA: <input checked="" type="checkbox"/> Exempt	<input checked="" type="checkbox"/> Not exempt <u>[Signature]</u>

REPLACES APP OF 04-05-2005
KITT-05-02

****IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS (PLEASE PRINT OR TYPE CLEARLY)****

1. Applicant Information:

APPLICANT/BUSINESS NAME STE. MICHELLE WINE ESTATES LTD., ATTN: STEVEN E. JOHNSON	PHONE NO. (509) 875-2061	FAX NO. (509) 875-2060
ADDRESS COLUMBIA CREST DRIVE, P.O. BOX 231		
CITY PATTERSON		
CONTACT NAME (IF DIFFERENT FROM ABOVE) CHARLES B. ROE, JR., PERKINS COIE LLP		
ADDRESS 111 MARKET STREET N.E., SUITE 200		
CITY OLYMPIA		

KITT-05-02 REPLACED
W/ APP REC'D 05-26-05.
APP W/DRAW FROM
BOARD + SENT NEW
APP FOR ECY PROCESS.

06/10/05

REMOVED KITT #8 FROM
WRAT RECORD.

2. Water Right Information:

WATER RIGHT OR CLAIM NUMBER COURT CLAIM NO. 00756 - STATE V. ACQUAVELLA, YAKIMA COUNTY SUPERIOR COURT NO. 77-2-01485-5, SEE APPENDIX A ATTACHED.	RECORDED NAME GERALD J. GRIFFITH
DO YOU OWN THE RIGHT TO BE CHANGED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
IF NO, PROVIDE OWNER(S) NAME: GERALD J. GRIFFITH CLE ELUM, WASHINGTON	
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	

Please attach copies of any documentation that demonstrates consistent, historical use of water since the right was established. Also, if you have a water system plan or conservation plan, please include a copy with your application.

FOR OFFICE USE ONLY

APP. NO. _____ PERMIT NO. _____ CERT. NO. _____ CERT. OF CHANGE NO. _____

SUB 2 BIG CREEK

CS4-00756 CTCL
05-26-2005 UPDATE

3. Point(s) of Diversion/Withdrawal:

A. Existing – SEE APPENDIX A ATTACHED

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
BIG CREEK – TRIBUTARY TO YAKIMA RIVER		SW	SE	29	20	14 EWM		NA

39
KITT

B. Proposed

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
GROUNDWATER BEARING ZONE – TRIBUTARY TO YAKIMA RIVER (SEE APPENDIX B.)								
(NOTE ALSO, PART 6.A.2., INFRA.)								

37
BENT

SEE APPENDIX C, ATTACHED. DO YOU OWN THE EXISTING AND PROPOSED POINT(S) OF DIVERSION/WITHDRAWAL?
EXISTING: ☐ YES ☒ NO PROPOSED: ☐ YES ☒ NO – IF NO, PROVIDE OWNER(S) NAME: JOHN WILLIAMS

Please include copies of all water well reports involved with this proposal. Also, if you know the distances from the nearest section corner to the above point(s) of diversion/withdrawal, please include that information in Item No. 6 (remarks) or as an attachment.

*SEE AMENDED APPENDIX B
RECEIVED 09-19-2005.*

4. Purpose of Use: N/A

A. Existing

PURPOSE OF USE	GPM or CFS	ACRES	PERIOD OF USE
(1) IRRIGATION	.34 CFS	81.60 AFY	MAY 1 TO SEPTEMBER 1
(2) STOCKWATER (SEE APPENDIX A – LIMITATION ON EXERCISE)	SEE APPENDIX A	SEE APPENDIX A	YEAR-ROUND
(3) IRRIGATION	.68 CFS	20.0	MAY1 TO SEPTEMBER 1. SEE APPENDIX A – LIMITS ON EXERCISES
SEE COMMENT, PART 6.A., INFRA.			

B. Proposed

PURPOSE OF USE	GPM or CFS	ACRES	PERIOD OF USE
ELEMENT 1. NO CHANGE EXCEPT STOCKWATER TO IRRIGATION. (SEE 4.A.2. SUPRA.)	SAME AS 4.A.	28	MAY 1 TO OCTOBER 31
ELEMENT 2. ALL OF 4.A. TO INSTREAM BENEFICIAL USES INCLUDING FOR FISHERY, WILDLIFE, AND NAVIGATION, AMONG OTHERS, FOR REACHES OF YAKIMA RIVER AND BIG CREEK	SAME AS 4.A.		MAY 1 TO OCTOBER 31

5. Place of Use: N/A

A. Existing

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:							
THAT PART OF S1/2, NE1/4, SECTION 29, TOWNSHIP 20 NORTH, RANGE 14 E.W.M. LYING SOUTH OF THE KITTITAS RECLAMATION DISTRICT CANAL AND EASTERLY OF BIG CREEK, EXCEPT FOR THE EAST 400 FEET THEREOF.							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
					KITTITAS COUNTY		
DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO – IF NO, PROVIDE OWNER(S) NAME: GERALD J. GRIFFITH AND JOANNE C. GRIFFITH							

B. Proposed

LEGAL DESCRIPTION OF LANDS WHERE NEW USE IS PROPOSED:							
ELEMENT 1. NE1/4 OF NE1/4, SECTION 9, TOWNSHIP 9 NORTH, RANGE 27 E.W.M. (FOR IRRIGATION)							
ELEMENT 2. INSTREAM IN (a) THE REACH OF BIG CREEK DOWNSTREAM OF THE LOCATION SET FORTH IN SECTION 3.A, HEREOF TO THE CREEK'S CONFLUENCE WITH THE YAKIMA RIVER AND (b) THE REACH OF THE YAKIMA RIVER FROM SAID CONFLUENCE TO RIVER MILE NUMBER 29.7 OF SAID RIVER (NEAR BENTON CITY, BENTON COUNTY).							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
					ELEMENT 1. BENTON ELEMENT 2. BENTON, YAKIMA, AND KITTITAS		
DO YOU OWN ALL THE LANDS IN THE PROPOSED PLACE OF USE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO – IF NO, PROVIDE OWNER(S) NAME: JOHN WILLIAMS							

Attach a detailed map of your proposed change/transfer. The map should show existing and proposed point(s) of diversion/withdrawal, place of use and any other features involved with this application. If platted property, please include a certified copy of the plat map.

Attach a detailed map of your proposed change/transfer. The map should show existing and proposed point(s) of diversion/withdrawal, place of use and any other features involved with this application. If platted property, please include a certified copy of the plat map.

Are there any ADDITIONAL WATER rights OR CLAIMS RELATED to the same property as the ONE PROPOSED FOR CHANGE/TRANSFER?
☐ YES ☒ NO – IF YES, PROVIDE THE WATER RIGHT/CLAIM NUMBER(S):

DOMESTIC GROUNDWATER RIGHT (WITH NO KNOWN NUMBER FOR A (A) WATER RIGHT PERMIT OR CERTIFICATE, OR (2) CLAIM.)

6. Remarks and Other Relevant Information:

SEE APPENDIX C.

IF FOR SEASONAL OR TEMPORARY, START DATE ____/____/____ END DATE ____/____/____

Certain applications may incur a Real Estate Excise Tax liability for the seller of the water rights. The Department of Revenue has requested notification of potential taxable water right related actions and therefore may be provided with a copy of this request.

Please contact the State Department of Revenue for further information. The phone number is (360) 570-3265. The address is: Department of Revenue, Real Estate Excise Tax, PO Box 47477, Olympia, WA 98504-7477.

7. Signatures:

I certify that the information above is true and accurate to the best of my knowledge. I understand that in order to process my application, I am hereby granting staff from the Department of Ecology or the County Conservancy Board access to the above site(s) for inspection and monitoring purposes. If assisted in the preparation of the above application, I understand that all responsibility for the accuracy of the information rests with me.

Ste Michelle Wine Estate
Alexander Johnson its Director 2 / 15 / 05
(Applicant) (Date)

Gerald J. Griffith 2 / 15 / 05
(Water Right Holder) (Date)

Gerald J. Griffith 2 / 15 / 05
(Land Owner(s) of Existing Place of Use) (Date)

Charles B. Roe
PHONE: 360.956.3300
EMAIL: CRoe@perkinscoie.com



May 23, 2005

Mr. Robert F. Barwin, P.E.
Water Resources Program, Regional Manager
Department of Ecology
15 W. Yakima Ave., Suite 200
Yakima, WA 98902

CK# 2229
\$10.00
5/26/05
fm

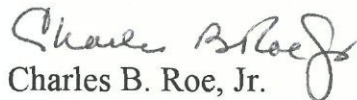
Re: Ste. Michelle Wine Estates, Ltd. Water Right Change Application

Dear Mr. Barwin:

Attached hereto is the subject change application together with a check in the amount of \$10.00 to cover the filing fee. Based on the conversation of last month between you, Steve Johnson, and the undersigned, it is understood that the application will be processed on an expedited basis (based on the enhancement features of the subject application.) In this regard, we request a decision be rendered by November 1, 2005.

If you have any questions relating to the application, please contact me. As we discussed last month, the applicant will shortly be submitting information, including expert-developed materials that are relevant to the application's processing. Likewise, please advise me as to the newspaper notice publication procedures including whether your office or I will be developing the notice.

Very truly yours,


Charles B. Roe, Jr.

CBR:jb

cc: Steve Johnson
Dan Schlee
Stan Isley, Bureau of Reclamation, Yakima

FedEx
Tracking
Number

8473 3390 5853

Form
ID No.

0215

Recipient's Copy

1 From This portion can be removed for Recipient's records.

Date 5/25/05 FedEx Tracking Number 847333905853

Sender's Name Charles B Rot, Jr. Phone 360 956-3300

Company PERKINS COIE

Address 111 MARKET ST NE STE 200

City OLYMPIA State WA ZIP 98501

2 Your Internal Billing Reference

3 To Recipient's Name Robert B Barwin Phone 509 575-2490

Company Water Resources Program
Department of Ecology

Recipient's Address 15 W. Yakima Ave, Suite 200

We cannot deliver to P.O. boxes or P.O. ZIP codes.

Address

To request a package be held at a specific FedEx location, print FedEx address here.

City Yakima State WA ZIP 98902



4a Express Package Service

Packages up to 150 lbs.

- ☒ FedEx Priority Overnight Next business morning* ☐ FedEx Standard Overnight Next business afternoon* ☐ FedEx First Overnight Earliest next business morning delivery to select locations*
- ☐ FedEx 2Day Second business day* ☐ FedEx Express Saver Third business day*
FedEx Envelope rate not available. Minimum charge: One-pound rate

4b Express Freight Service

Packages over 150 lbs.

- ☐ FedEx 1Day Freight* Next business day** ☐ FedEx 2Day Freight Second business day** ☐ FedEx 3Day Freight Third business day**

* Call for Confirmation.

5 Packaging

* Declared value limit \$500

- ☒ FedEx Envelope* ☐ FedEx Pak* Includes FedEx Small Pak, FedEx Large Pak, and FedEx Sturdy Pak ☐ FedEx Box ☐ FedEx Tube ☐ Other

6 Special Handling

Include FedEx address in Section 3.

- ☐ SATURDAY Delivery Available ONLY for FedEx Priority Overnight, FedEx 2Day, FedEx 1Day Freight, and FedEx 2Day Freight to select ZIP codes ☐ HOLD Weekday at FedEx Location Not available for FedEx First Overnight ☐ HOLD Saturday at FedEx Location Available ONLY for FedEx Priority Overnight and FedEx 2Day to select locations

Does this shipment contain dangerous goods?

One box must be checked.

- ☒ No ☐ Yes As per attached Shipper's Declaration ☐ Yes Shipper's Declaration not required ☐ Dry Ice Dry Ice, 9, UN 1845 x kg ☐ Cargo Aircraft Only

Dangerous goods (including Dry Ice) cannot be shipped in FedEx packaging.

7 Payment Bill to:

Enter FedEx Acct. No. or Credit Card No. below.

Obtain Recip. Acct. No.

- ☒ Sender Acct. No. in Section 1 will be billed. ☐ Recipient ☐ Third Party ☐ Credit Card ☐ Cash/Check

Total Packages

Total Weight

Total Charges

*Our liability is limited to \$100 unless you declare a higher value. See the FedEx Service Guide for details.

8 Sign to Authorize Delivery Without a Signature

By signing you authorize us to deliver this shipment without obtaining a signature and agree to indemnify and hold us harmless from any resulting claims.
Questions? Visit our Web site at fedex.com
or call 1.800.GoFedEx.1.800.463.3339.
SRF • Rev. Date 11/03 • Part #158279 • ©1994-2003 FedEx • PRINTED IN U.S.A.

466